

# **EXHIBIT 4**

## Predictability Pay- Paid Out 11/26-01/16

Saturday, January 20, 2018  
2:40 PM

There were 8 instances of loss of hours for which partner consent was not provided on the Schedule Change Log. All entries had Reason Code 1 (voluntary) with the exception of two and appear to be with less than 24 hours notice. All entries were completed by the SM. If determined to be business initiated that would result in \$600 in predictability pay owed.

Store 15751	Payments
Sarai Alvarez 11/27, 11/29 worked additional and consented for both	30
Danielle Copeland 12/15 worked additional, missing consent, paid 12/26 loss of hours, missing consent, not paid. <b>Reason Code 1</b>	15
Indira Hernandez *12/23 worked additional, missing consent, not paid 01/02 worked additional, consented, paid	15
Wesley Manley	0
Angello Cuadra 12/14 worked additional, missing consent, paid 12/26 loss of hours, missing consent, not paid. <b>Reason Code 1</b> 01/04 loss of hours, missing consent, not paid. <b>Reason Code 1</b>	15
Octavia Davis 12/10 worked additional, missing consent, paid 12/28 worked additional, missing consent, not paid	15
Yaye Diallo 11/28 worked additional 16 minutes, consented	0
Estephani Garcia 12/07 - worked additional, missing consent 12/12 worked additional, consented	15
Nia Glasgow 01/03 loss of hours, missing consent, not paid	0
Retesh Govindan 12/03 worked additional, consented, paid 12/08 worked additional, missing consent, paid 12/10 worked additional, missing consent, paid 12/12 worked additional, missing consent, paid 12/23 worked additional, missing consent, not paid. "Staffing Shortage" cited as reason for early clock in. 12/26 loss of hours, missing consent, not paid. <b>Reason Code 1</b> 01/02 loss of hours, missing consent, not paid. <b>Reason Code 1.</b> Partner clocked in at 4:17pm as opposed to 4pm.	60
Michael Guzman 12/3 or 12/4 worked additional, missing consent, not paid	0
Levie Lampaan <b>borrowed partner</b>	0
Chad Leed 01/04 loss of hours, missing consent, not paid. <b>Reason Code</b>	0

<b>2e provided and then crossed out by SM</b>	
Michael Maldonado 1/04 loss of hours, consented , not paid	0
Stella Morgan 11/27 worked additional & consented, paid 11/30 worked additional, consented 12/08 worked additional, consented 12/11 voluntary change, consented 1/04 loss of hours, missing consent, not paid. <b>Reason Code unclear.</b> <b>Partner clocked in at 7:05am as opposed to 6am.</b> 1/11 worked additional, missing consent, paid	30
Kenneth Parris 11/28, 12/04 <b>separated</b>	30
Darion Lovell 12/07, 12/18, 12/26, 12/28, 12/29, 01/05, 01/08(75), 01/09, <b>borrowed partner</b>	180
Efrain Munoz 12/04, 12/09, 12/12, 12/14, 12/18 (100), 12/24, 01/07, 01/12 <b>borrowed partner</b>	205
Lanee Smith	0

#### Notes

-1/05 Danielle and Wes appeared consent to a shift swap, missing consents

- 1/5 Stella and Retesh appeared to consent to a shift swap, missing Retesh' consent
- 1/06 Lanee and Yaye appeared to consent to a shift swap, missing consents
- 12/22 Stella appears to consent to a shift swap, missing consents
- 11/29 Estephani and Yaye appeared to consent to a shift swap, missing Yaye' consent

#### Reason Codes:

1 Voluntary change in schedule requested by partner (e.g., partner-to-partner request to cover or swap shifts)

2 Change in hours due to business reasons, as determined by Starbucks, requiring predictability pay:

a. Less than 14 days of notice without loss of hours = \$10

b. Less than 7 days of notice without loss of hours = \$15

c. Less than 14 days of notice with loss of hours = \$20

d. Less than 7 days of notice with loss of hours = \$45

e. **Less than 24 hours of notice with loss of hours = \$75**

3 Working with less than 11 hours of rest between shifts\*\*

4 Time off requested by partner (e.g., sick)

5 Tardy / No Call No Show

6 Emergency situation (e.g., natural disaster, utility failure, loss of public transportation, severe weather, threats to partners or property)

## Compliance

Thursday, January 11, 2018  
10:12 AM

### Store 15751 Profile

**WK2 11/27-12/03- Premium \$15 x 5, 0 period of rest violations, however 1 noted on Rest Between Shifts Report for partner Angelo Cuadra (2318307) on 11/27, hours amounted to 10.95**

US2305599
US1634698
US2394508
US1634698
US2094534

**WK3 12/04-12/10- Premium \$15 x 5, 0 period of rest violations**

US2285546
US1653995
US2094534
US2394508
US2094534

**WK4 12/11-12/17- premium \$15 x 3, 0 period of rest violations**

US1798018
US2318307
US2094534

**WK 5 12/18-12/24 \$0 Premiums, 0 period of rest violations, however 1 noted on Rest Between Shifts Report for partner Michael Maldonado (2296956) on 12/21, hours amounted to 10.75**

**WK 6 12/25-12/30 \$0 Premiums, 0 period of rest violations**

**WK14 (Fiscal) 12/31-01/07 premium \$15 paid to 2069019, 0 period of rest violations**

## Questions

Thursday, January 11, 2018  
11:57 AM

Have you encountered partners who are unclear regarding the law? Yes, unclear on 15 minute and how it applies to rest between shifts

Have partners expressed any grievances regarding predictability pay? Yes, concerns expressed regarding rest between shifts, as well as staying 15 minutes past their shift

Are all required signatures on the schedule change log? No

Does the schedule change log and time card tell the same story? No, SM currently fills out schedule change log as opposed to partners, partners don't log lateness or shift swaps, missing signatures of partner consent

Is SM clear on predictability pay triggers? No, unclear on business initiated vs. partner initiated

Are Available Shift Postings displayed in store? Postings are instore but proof of compliance is an opportunity

Are all required notices posted in store? Yes

Have all partners as well as SM receive NTK? No

Have any GFE been completed since 11/26 and are we executing on that? Completed however the

execution is an opportunity due to decrease in traffic, partners are upset regarding reduction of hours

Examine call outs for the week and who replaced the missing partner and identify if they were paid in accordance with the law. - Partners are not clear that they are not responsible for finding coverage for calling out sick so they initiate coverage in advance. On average 2 callouts a week, SM maintains partners initiate coverage

Schedules posted below 14 days notice<sup>1</sup> based up time stamp on printed schedules, 4 out of 6 posted in less than 14 days

\*At least 17 instances identified where predictability pay was triggered but not paid out since 12/10 not including the violations in relation to the schedule posting

### Additional Notes

According to SM during the storm partners clocked in early to avoid loss of hours as store was closing at 6pm, supervisor overrode these schedule changes. Predictability pay was not entered for partners.

# Compliance Notes 15751

Tuesday, January 23, 2018

12:23 PM

## **Schedules - The following schedules were posted with less than 14 days' notice:**

- Effective schedule 12/04/17- 12/10/17 Timestamp 11/22/17 4:50am, 12 days' notice starting Monday, 19 instances of violations regarding schedule posting date
- Effective schedule 12/11/17-12/17/17 Timestamp 12/03/17 11:58am, 8 days' notice staring Monday, 46 instances of violations regarding schedule posting date
- Effective schedule **(2)** 12/18/18-12/24/17 Timestamp 12/07/17 7:23am, 11 days' notice starting Monday 12/18/17-12/24/17 Timestamp 12/11/17 9:44am, 7 starting Monday days' notice. 29 instances of violations regarding schedule posting date
- Effective schedule 12/25/17-12/31/17 Timestamp 12/18/17 1:09pm, 7 days' notice starting Monday, 51 instances of violations regarding schedule posting date

## **Schedule Change Log**

- Missing partner consent on 44 out of 81 entries
- 26 instances noted as voluntary w/out signatures
- 5 instances of "sick" with signatures
- Change in hours due to business: 7 instances with signatures, 8 instances w/out signatures

## **Period of Rest Violations - 0 violations**

Rest Between Shifts Report for partner Angelo Cuadra (2318307) on 11/27, hours amounted to 10.95

Rest Between Shifts Report for partner Michael Maldonado (2296956) on 12/21, hours amounted to 10.75

## **Good Faith Estimate**

- 1 new hire 12/04, Lanee Smith, GFE not on file, partner completed old form
- Posted Available Open Shift 11/30 & 12/01 for 730am-7pm availability